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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 FREDRICK F. DAWSON,

15 Defendant.  
16

Case No. 5:22-cr-00001-CDB

**STIPULATION TO CONTINUE STATUS  
CONFERENCE; ~~PROPOSED~~ ORDER**

Date: April 2, 2024

Time: 10:00 a.m.

Judge: Hon. Christopher D. Baker

17 IT IS HEREBY STIPULATED by and between the parties through their respective  
18 counsel, Assistant United States Attorney Chan Hee Chu, counsel for plaintiff, and Assistant  
19 Federal Defender Erin Snider, counsel for Fredrick F. Dawson, that the Court may continue the  
20 status conference currently scheduled for February 6, 2024, at 10:00 a.m. to April 2, 2024, at  
21 10:00 a.m. before the Honorable Christopher D. Baker.

22 On June 3, 2022, the government filed an Information charging Mr. Dawson with one  
23 count of theft of government property. *See* ECF No. 7, Case No. 1:22-cr-00107-ADA-1. The  
24 magistrate judge thereafter dismissed the Information without prejudice on the basis of a Speedy  
25 Trial Act violation. *See* ECF No. 18, Case No. 1:22-cr-00107-ADA-1. The defense filed a timely  
26 appeal to the district court judge, arguing that the magistrate judge erred in dismissing the case  
27 without prejudice. *See* ECF No. 20, Case No. 1:22-cr-00107-ADA-1. As of December 5, 2022,  
28 the appeal has been fully briefed and the parties are awaiting a ruling from the district judge. *See*

ECF No. 29, Case No. 1:22-cr-00107-ADA-1. On January 24, 2024, the parties received an update via email from the Court, advising that “Sacramento is aware [of the pending appeal] and the matter is under submission.”

Meanwhile, the government refiled the charge against Mr. Dawson, which is the instant case. Because the pending appeal may impact the government’s ability to proceed with this prosecution, the parties agree that, in the interest of efficiency, this case should trail the pending appeal.

In addition to the pending appeal, this case involves voluminous discovery—approximately 3,880 Bates-marked pages. Defense counsel requires time to review discovery and consult with her client. Defense counsel believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Based on the above, the parties agree that the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act, and the parties agree that, for the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period February 6, 2024, to April 2, 2024, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

**IT IS SO STIPULATED.**

Respectfully submitted,

PHILLIP A. TALBERT  
United States Attorney

Date: February 1, 2024

/s/ Chan Hee Chu  
CHAN HEE CHU  
Assistant United States Attorney  
Attorney for Plaintiff

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HEATHER E. WILLIAMS  
Federal Defender

Date: February 1, 2024

/s/ Erin Snider  
ERIN SNIDER  
Assistant Federal Defender  
Attorney for Defendant  
FREDRICK F. DAWSON

**ORDER**

**IT IS SO ORDERED.** For good cause shown in the parties' stipulation, the status currently scheduled for February 6, 2024, at 10:00 a.m. is hereby continued to April 2, 2024, at 10:00 a.m. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 6, 2024, to April 2, 2024, inclusive, is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: **February 2, 2024**

  
UNITED STATES MAGISTRATE JUDGE